SF-110

FMNP Policy Memorandum: #95-3
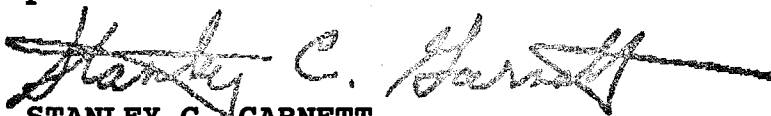Implementation of P.L. 103-448 Provisions

Regional Directors
Supplemental Food Programs
All Regions

This policy memorandum authorizes the implementation of the
provisions contained in Pub. L. 103-448, the Healthy Meals for
Healthy Americans Act of 1994, enacted on November 2, 1994.

As you know, this law reauthorizes the Special Supplemental
Nutrition Program for Women, Infants and Children (WIC) and the
WIC Farmers' Market Nutrition Program (FMNP) through
September 30, 1998, and establishes several new provisions
designed to improve Program management and accessibility.
Attached for your use and information is a copy of the
legislative language as it appeared in the <u>Congressional Record</u>
of October 6, 1994. We have also attached a listing of all of
the WIC and FMNP provisions in Pub. L. 103-448. The attached
listing is provided for easier reference but should not be used
as a substitute for the text of the statute.

Generally, legislative provisions must be promulgated in an
interim or final rulemaking before they can be implemented.
After further review of the WIC and FMNP provisions of
Pub. L. 103-448, we have determined that the provisions can be
deemed nondiscretionary. Considering that the provisions can
be deemed nondiscretionary and given the long and complex
process of issuing regulations, State agencies may begin
implementing the WIC and FMNP provisions of Pub. L. 103-448
prior to the issuance of a final rulemaking.

State agencies opting to implement any of the WIC and FMNP
provisions of Pub. L. 103-448 prior to issuance of a final
rulemaking must make the appropriate amendments to their State
Plans and/or procedure manuals. State agencies should also be
advised that changes to procedures may be necessary once the
provisions are codified in a final rulemaking.

STANLEY C. GARNETT
Director
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Attachments

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